



09/491,322.

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Atty. Dkt. No. 071344-0306

EJ

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hein et al.

Title: METHOD OF USE OF
TRANSGENIC PLANT
EXPRESSED ANTIBODIES

Patent. No.: 6,852,319

Issue Date: 2/8/2005

Examiner: Cynthia E. Collins

Art Unit: 1638

<p>CERTIFICATE OF MAILING</p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.</p> <p><u>Vanessa E. Agha</u> (Printed Name)</p> <p><u>Vanessa E. Agha</u> (Signature)</p> <p><u>March 10, 2006</u> (Date of Deposit)</p>
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REQUEST FOR CERTIFICATE OF CORRECTION
PURSUANT TO 37 C.F.R. § 1.323

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate
MAR 17 2006
of Correction

Sir:

Enclosed, in duplicate, is a Certificate of Correction, Form PTO-SB/44, for United States Patent Number 6,852,319 issued February 8, 2005. The following errors, referred to in the Certificate of Correction, appear on the face of the patent and in the specification as issued:

PATENT FACE (Page 1)

Applicant requested removal of Julian K-C Ma as a co-inventor in the request for Continued Prosecution Application filed February 13, 2002, in accordance with 37 C.F.R. §1.53(d)(4) (copy attached as Exhibit A). However, Julian K-C Ma remains listed on the patent face as a co-inventor. This is clearly a Patent and Trademark Office error. Therefore, the inventorship should be corrected as follows:

Page 1, under "(75) Inventors:", delete "Julian K-C Ma, London (GB)".

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IN THE SPECIFICATION

In column 1, lines 4-6, Applicant erroneously acknowledged government support. The federal grant cited was not used to support the work described in the patent. It is respectfully submitted that this error is of minor character and therefore, the correction of this error by Certificate of Correction is proper. Accordingly, please correct the patent as follows:

Column 1, lines 4-6, delete "The present invention was made with government support under Contract No. DK43888 by the National Institutes of Health. The government has certain rights in the invention."

Applicant submits that the noted errors do not constitute new matter, and correction thereof would not require reexamination.

Pursuant to 37 C.F.R. §1.323, Applicant requests that the enclosed Certificate of Correction be approved.

Since one of the noted errors is not the fault of the Patent Office, the Commissioner is hereby authorized to charge the required fee of \$100.00, as well as any additional fees which may be required for this Request, to Deposit Account No. 50-0872.

Respectfully submitted,

Date March 10, 2006

By Barry S. Wilson

FOLEY & LARDNER LLP
Customer Number: 30542
Telephone: (858) 847-6722
Facsimile: (858) 792-6773

Barry S. Wilson
Attorney for Applicant
Registration No. 39,431

Enclosures: Exhibit A: Copy of Continued Prosecution Application (CPA) Request Transmittal

MAR 20 2006

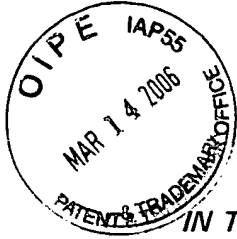
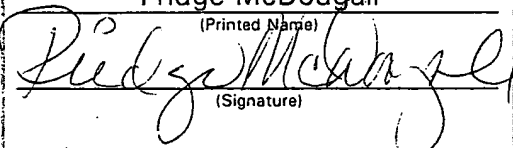


EXHIBIT A

Atty. Dkt. No. EPI3007F
(formerly SCRI1410)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mich B. Hein et al.
Title: TRANSGENIC PLANTS
EXPRESSING ASSEMBLED
SECRETORY ANTIBODIES
Appl. No.: 09/491,322
Filing Date: 01/25/2000
CPA Filed: 02/13/2002
Examiner: Bui, P.
Art Unit: 1638

CERTIFICATE OF EXPRESS MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, Washington, D.C. 20231.	
EL 796239964 US	02/13/02
(Express Mail Label Number)	(Date of Deposit)
Pridge McDougall	
(Printed Name)	
	
(Signature)	

CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL

Commissioner for Patents
Box CPA
Washington, D.C. 20231

Sir:

This is a request under 37 C.F.R. § 1.53(d), Continued Prosecution Application (CPA), for a:

☒ Continuation ☐ Divisional

application of the above-identified prior nonprovisional application of Hein et al. in which no payment of issue fee, abandonment, or termination of proceedings has occurred. Priority to the above-identified prior application is hereby claimed under 35 U.S.C. § 120 for this CPA.

In accordance with 37 C.F.R. § 1.53(d)(4), Applicant hereby requests that Julian K-C Ma be deleted as an inventor because he has not invented the presently pending claims.

MAR 20 2006

The filing fee is calculated below:

	Claims As Amended	Previously Paid For	Extra Claims	Rate	Fee Totals
Basic Fee				\$740.00	\$740.00
Total Claims:	17	- 20	= 0	x \$18.00	= \$0.00
Independents:	1	- 3	= 0	x \$84.00	= \$0.00
If any Multiple Dependent Claim(s) present:				+ \$280.00	= \$0.00
				SUBTOTAL:	= \$740.00
[]	Small Entity Fees Apply (subtract ½ of above):				=
	TOTAL FILING FEE:				= \$740.00
Fee under 37 CFR 1.17(i) for suspension of action under 37 CFR 1.103(b):				+ \$130.00	= \$0.00
	TOTAL FEE				= \$740.00

- [X] A check in the amount of \$740.00 to cover the filing fee and the fee under 37 CFR 1.17(i) is enclosed.
- [X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date: February 13, 2002

FOLEY & LARDNER
P.O. Box 80278
San Diego, California 92138-0278
Telephone: (858) 847-6722
Facsimile: (858) 792-6773

By: Barry S. Wilson

Barry S. Wilson
Attorney for Applicant
Registration No. 39,431

MAR 20 2006

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.
(Also Form PTO-1050)

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

PATENT NO. : 6,852,319
APPLICATION NO. : 09/491,322
DATED : 2/8/2005
INVENTOR(S) : Mich B. Hein; Andrew C. Hiatt

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Page 1, under "(75) Inventors:", delete "Julian K-C Ma, London (GB)".

Column 1, lines 4-6, cancel the following text "The present invention was made with government support under Contract No. DK43888 by the National Institutes of Health. The government has certain rights in the invention."

MAILING ADDRESS OF SENDER (Please do not use customer number below):

P.O. Box 80278
San Diego, California 92138-0278

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer.

U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

MAR 20 2006

 **DUPLICATE**

MODIFIED PTO/SB/44 (04-05)

Approved for use through 04/30/2007. OMB 0651-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.
(Also Form PTO-1050)

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U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

MAR 20 2006

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 6,852,319 B2
DATED : February 8, 2005
INVENTOR(S) : Hein et al.

Page 1 of 1

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 97,

Line 33, replace "administering therapeutic" with -- administering a therapeutic --

Column 100,

Line 19, replace "subject therapeutic" with -- subject a therapeutic --

Line 39, replace "E. Coii," with -- E. Coli, --

Signed and Sealed this

Nineteenth Day of April, 2005

A handwritten signature in black ink, appearing to read "Jon W. Dudas". The signature is stylized with a large, looping initial "J" and a distinct "D".

JON W. DUDAS
Director of the United States Patent and Trademark Office